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11
12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 _____)
15 UNIVERSAL PROCESSING SERVICES) Case No. 2:16-cv-00074-JAD-GWF
16 OF WISCONSIN, LLC D/B/A NEWTEK)
17 MERCHANT SOLUTIONS,)
18 Plaintiff,) **STIPULATION AND ORDER**
vs.) **DIRECTING CLERK OF THE COURT**
19 SUNGAME CORP., FREEVI CORPORATION,) **TO RETURN DEPOSIT TO PLAINTIFF**
20 COMMANDER 3D, INC., NEIL CHANDRAN,) ECF No. 74
21 CHANDRAN HOLDING MEDIA, INC., THE)
LOFT BY ANGELES FURNITURE)
COLLECTION, LLC D/B/A THE LOFT, LLC.)
SCORSETTI DESIGN, LLC, AND MARIA)
SCORSETTI A/K/A ANGELES SCORSETTI)
Defendants.)
_____)

1 WHEREAS, on January 13, 2016, Universal Processing of Wisconsin LLC d/b/a Newtek
2 Merchant Solutions (the “Plaintiff”) commenced the above-captioned action (the “Action”) before
3 this Court against The Loft By Angeles Furniture Collection, LLC d/b/a The Loft, LLC, Scorsetti
4 Design, LLC, and Maria Scorsetti, d/b/a Angeles Scorsetti (collectively, the “Scorsetti Defendants”),
5 and Sungame Corp., Freevi Corporation, Commander 3D, Inc., Neil Chandran and Chandran Media
6 Holding, Inc. (collectively, the “Chandran Defendants”);

7 WHEREAS, on March 10, 2016, each of the Defendants filed a motion (the “Security
8 Motion”) for demand for security of costs, which had the effect of staying this action. [Dkt. Nos. 17,
9 18];

10 WHEREAS, on March 24, 2016, this Court entered an order (the “Security Order”) approving
11 a stipulation resolving the Security Motion. [Dkt. No. 21];

12 WHEREAS, pursuant to the Security Order, the Plaintiff deposited \$4,000 as security with the
13 Clerk of the United States District Court for the District of Nevada [Dkt. No. 22];

14 WHEREAS, a copy of the Court’s Certificate of Deposit is annexed hereto as Exhibit A [Dkt.
15 No. 22];

16 WHEREAS, pursuant to the Security Order, the Deposit shall remain with the Clerk of this
17 Court until: (i) the filing of a stipulation signed by counsel for the Plaintiff and the Chandran
18 Defendants and/or Scorsetti Defendants providing for the release of all or a portion of the Deposit
19 with respect to the Sungame Defendants and/or Scorsetti Defendants; or (ii) entry of an Order of this
20 Court;

21 WHEREAS, pursuant to a stipulation, dated August 15, 2016, which the parties are
22 simultaneously filing with the Court, the parties consent to the above-captioned action being
23

1 transferred to the United States District Court for the Eastern District of New York, Central Islip
2 Division;

3 WHEREAS, the parties agree to the return of the Deposit to the Plaintiff pursuant to the terms
4 of this stipulation;

5 NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE
6 UNDERSIGNED PARTIES as follows:

7 1. Upon court approval of this stipulation and the stipulation transferring venue of this
8 action to the United States District Court for the Eastern District of New York, the Clerk of the Court
9 is directed to return the Deposit to the Plaintiff by mailing a check in the amount of the Deposit
10 (\$4,000) payable to Newtek Business Solutions to the following address: Newtek Merchant
11 Solutions, Attn: Michael Schwartz, Esq., 198 Marcus Avenue, Suite 130, Lake Success, New York
12 11042.

13 2. The Court shall retain jurisdiction for the purpose of enforcing this stipulation and
14 order, and the return of the Deposit to the Plaintiff.

15 RESPECTFULLY SUBMITTED on this 15th day of August, 2016.

16 **THE AMIN LAW GROUP NV, LTD.**

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25 *The Loft by Angeles Furniture Collection, LLC*

26 *d/b/a The Loft, LLC, Scorsetti Design, LLC,*

27 *and Maria Scorsetti a/k/a Angeles Scorsetti*

28 **IT IS SO ORDERED.**



29 **UNITED STATES DISTRICT JUDGE**

30 **Dated: August 16, 2016**

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